

# PUBLIC NOTICE

US Army  
Corps  
of Engineers  
Baltimore  
District

In Reply to Application Number  
CENAB-OP-RMS(PEACHBLOSSOM COVE  
HOA/DREDGING)04-64086-3

**Comment Period: August 27, 2004 to September 28, 2004**

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C. 1344), as described below:

APPLICANT Peachblossom Cove HOA  
c/o Mr. Hugh M. Smith  
218 N. Washington Street  
Easton, Maryland 21601-0119

LOCATION In Peachblossom Cove, Talbot County, Maryland.

WORK: To hydraulically or mechanically, maintenance dredge an 1170-foot long by 40 to 50-foot wide main channel in Peachblossom Cove to a depth of -4.5 feet below mean low water connecting to Peachblossom Creek. Additionally, 7 spur channels listed below are proposed. The dredging will result in approximately 5,373 cubic yards of dredged material which will be deposited at an on-site upland (non-wetland) disposal site owned by a Peachblossom Cove property owner, Mr. Bradford Kline. The proposed dredging was previously authorized under Department of the Army permit NABOP-FS(Railey, C.A.; Shield, W.H.; Varella, A.A. etc.)81-0112 on September 14, 1981 except for spurs #s 1,2,3,5&6 which were not a part of the application. The applicant also requests that ten year maintenance dredging be authorized. The permit for these projects, if approved, would authorize periodic maintenance dredging for 10 years, subject to prior notification of the District Engineer and availability of an adequate disposal site for the dredged material. Furthermore, construction of a 130-foot long by 4-foot wide timber pier is proposed not to extend more than 130 feet channelward of the mean high water shoreline. The purpose of the proposed work is to improve navigable access to residential piers. All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mrs. Lynette Rhodes, at (410)962-5686.

Spur Channels:

<u>Tracking #</u>	<u>Name</u>	<u>Spur Channel Area</u> <u>Approx. sq. ft.</u>	<u>Volume</u> <u>cubic yds.</u>	<u>Proposed</u> <u>Max. Depth</u> <u>ft. MLW</u>
200464087	Thomas Urso	4200	205	-4.5
200464088	Roland Hurley	1140	128	-4.5
200464089	Walter Patton	3940	245	-4.5
200464090	Hugh Smith	2728	226	-4.5
200464091	Bradford Kline	1960	331	-4.5
200464092	Bruce Armistead	2560	302	-4.5
200464093	Thomas Hill	4800	236	-4.5

Essential Fish Habitat (EFH) Assessment: The Magnuson-Stevens Fishery Conservation Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded or undertaken by the agency that may adversely effect essential fish habitat (EFH). The project site lies in or adjacent to EFH as described under MSFCMA for Scopthalmus aquosus (windowpane flounder) juvenile and adult; Pomatomus saltatrix (blue fish) juvenile and adult; Paralichthys dentatus (summer flounder) juvenile and adult; and eggs, larvae, juvenile, and adult stages of Sciaenops ocellatus (red drum), Scomberomorus cavalla (king mackerel), Scomberomorus maculatus (spanish mackerel), and Rachycentron canadum (cobia), managed species under the MSFCMA. The project has the potential to adversely effect EFH or the species of concern by loss of spawning, nursery, forage and/or shelter habitat. The Baltimore District has determined that the adverse effects of this project would not be substantial and an abbreviated consultation will be conducted with NMFS. No mitigative measures are recommended to minimize adverse effects on EFH at this time. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Standards and Certification Division Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above to receive consideration. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, P.O. Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration. The 401 certifying agency has a statutory limit of one year to make its decision.

The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland, 21230-1708, within the comment period as specified above. It should be noted that CZ Division has a statutory limit of 6 months in which to make its consistency determination.

The applicant must obtain any State or local government permits which may be required.

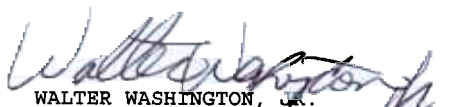
A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

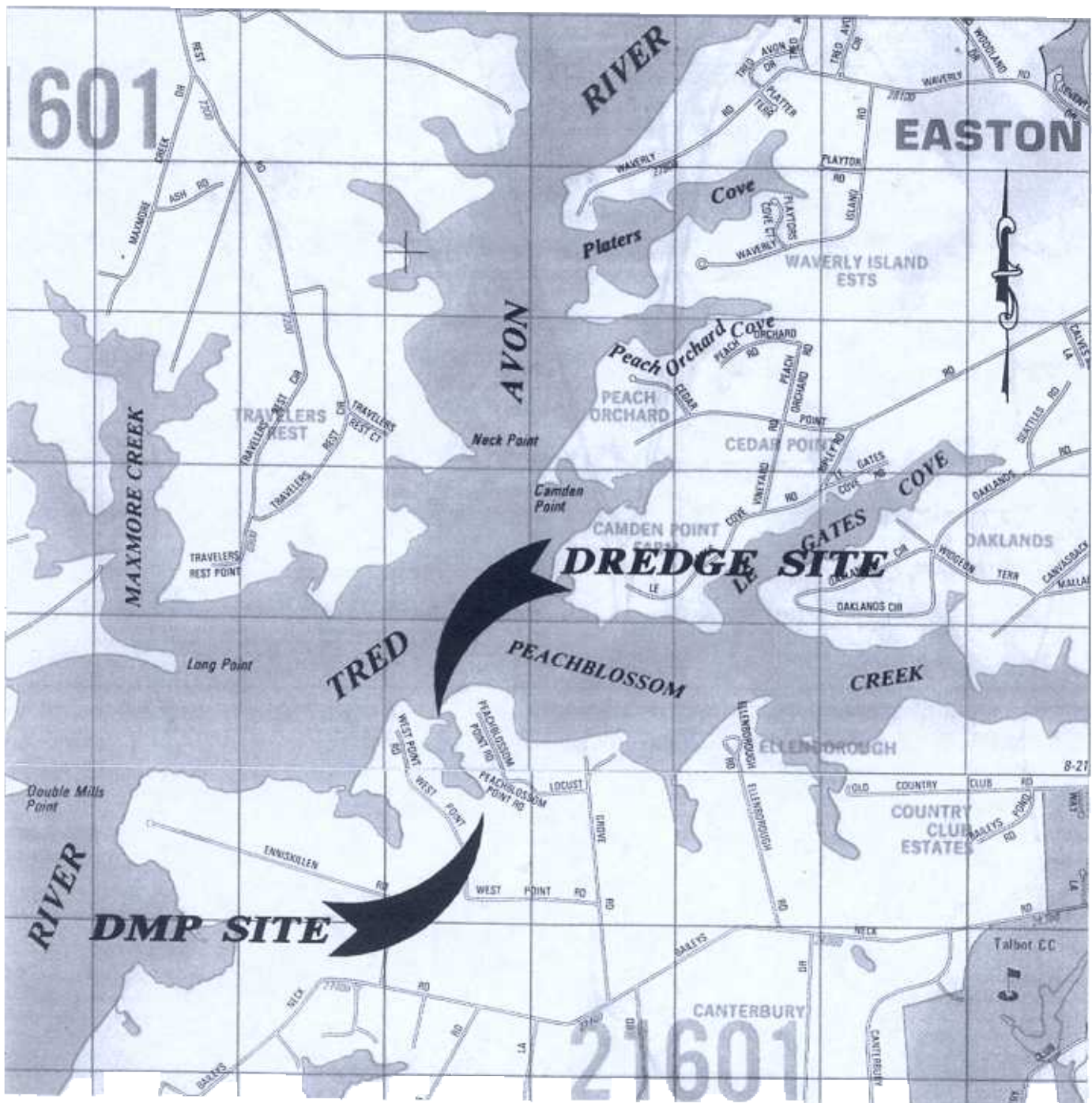
Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, P.O. Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest which may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:

  
WALTER WASHINGTON, JR.  
Chief, Maryland Section Southern



SCALE : 1" = 2000'

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## DREDGING AREA LOCATION MAP



CONSULTING ENGINEERS AND SURVEYORS

**Andrews, Miller & Assoc., Inc.**

**FIGURE 1**

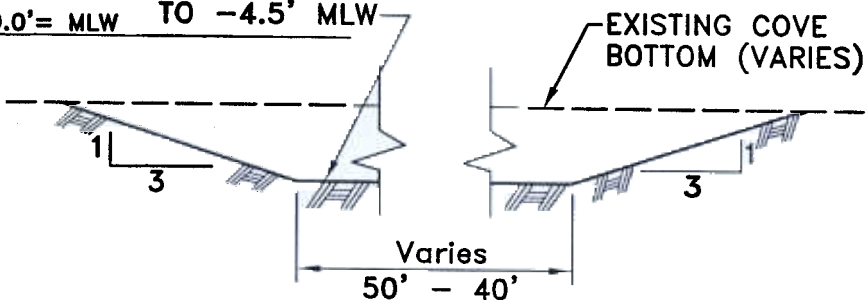
CDH

Enclosure

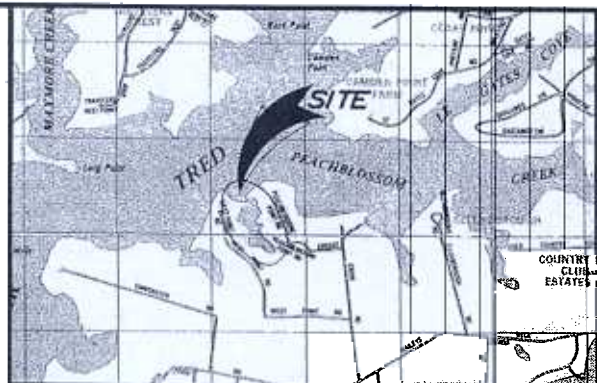


1.5' = MLW  
0.0' = MLW

PROPOSED DREDGING  
TO -4.5' MLW

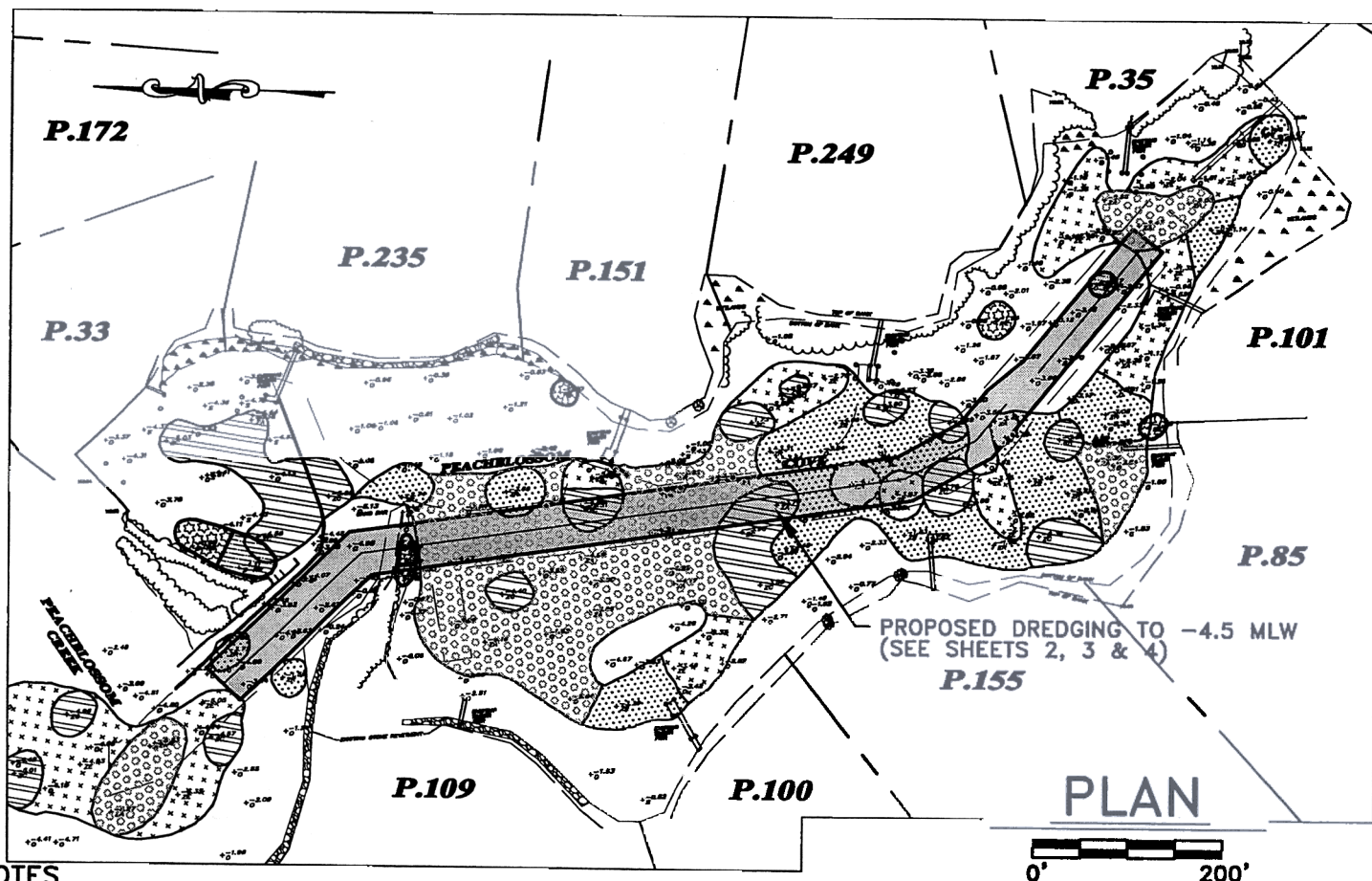


**DREDGING SECTION**



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Permitted Use No. 20502145

**VICINITY MAP**



**NOTES**

1. TIDAL RANGE IS 1.5' FEET.
2. SOUNDINGS ARE IN FEET & REFER TO MLW.
3. APPROX. 3,700 CU. YDS. OF SAND, SILT AND CLAY TO BE HYDRAULICALLY OR MECHANICALLY DREDGED TO -4.5' MLW.
4. DREDGED MATERIAL IS TO BE TRANSPORTED TO APPROVED PLACEMENT SITE.
5. DREDGING IN PEACHBLOSSOM COVE WAS PREVIOUSLY PERMITTED UNDER WETLANDS LICENSE 81-WL-0357 & USACE PERMIT #81-0112.
6. THESE DRAWINGS ARE FOR OUTLINE PURPOSES ONLY. DESIGN DRAWINGS ARE TO BE PROVIDED SEPARATELY.

SHEET 1 OF 4

**PROPOSED MAIN  
CHANNEL DREDGING**

IN: PEACHBLOSSOM COVE

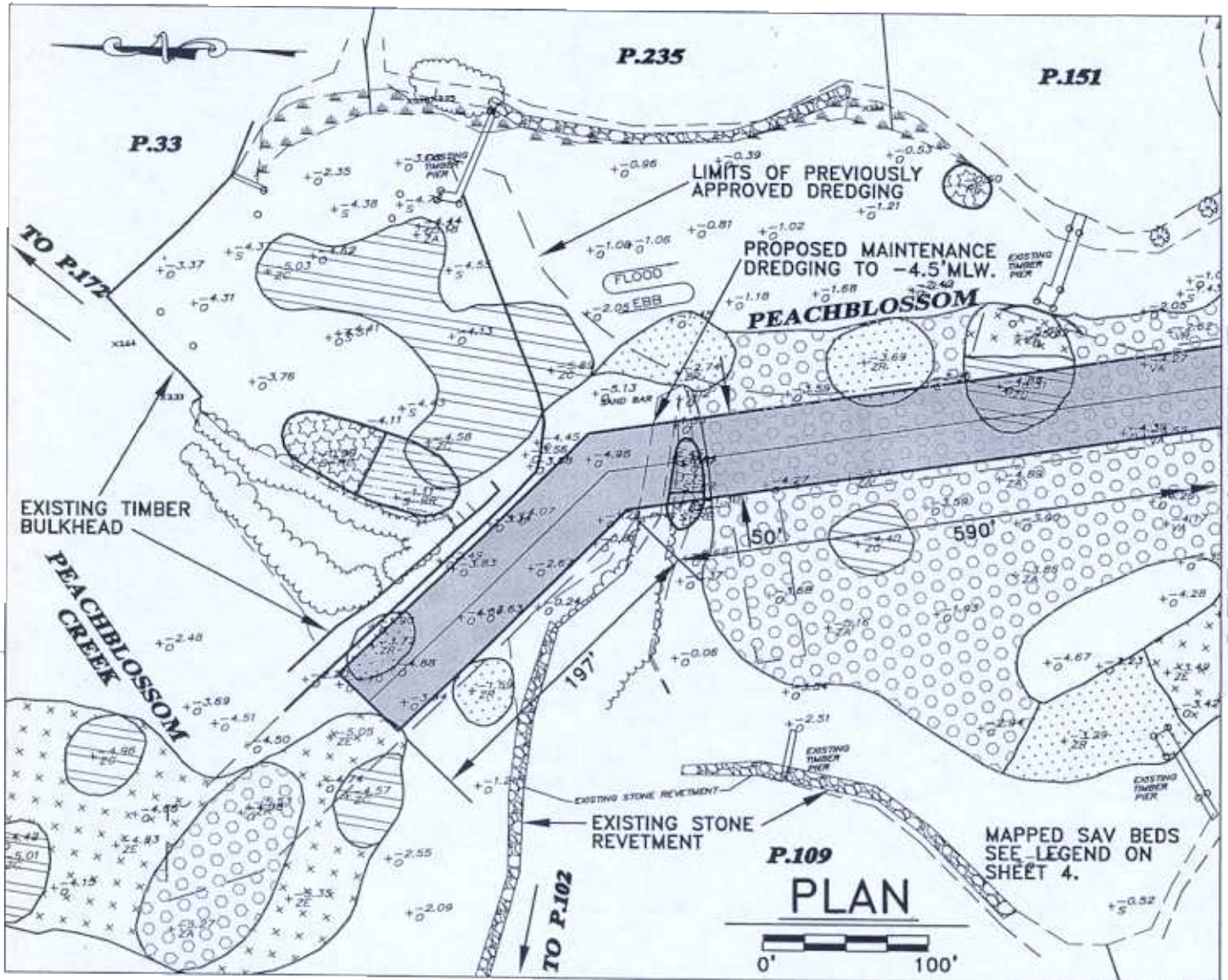
NEAR: EASTON

TALBOT COUNTY, MARYLAND

APPL. BY: HUGH SMITH (REPRESENTATIVE OF  
WATERFRONT HOMEOWNERS)

DATE: FEBRUARY 2003





SEE SHEET 3

**P.109** LESSER, KUNZ  
27460 WEST POINT ROAD  
EASTON, MD 21601-8438

**P.151** VARELA, ARTHUR A. AND ANNA D. T/C  
6648 PEACHBLOSSOM POINT ROAD  
EASTON, MD 21601-8434

LEMP, KARL C. AND ANNA B. LEMP TRUSTEES  
6680 PEACHBLOSSOM POINT ROAD  
EASTON, MD 21601-8434

RAILY, CLAYTON A. JR. AND JUNE H. T/C  
6694 PEACHBLOSSOM POINT ROAD  
EASTON, MD 21601-8434

**P.102** BURNS, BERNARD N. ETAL T/C  
27457 WEST POINT ROAD  
EASTON, MD 21601-8439

**P.172** WHEELER, WILLIAM B.  
6687 PEACHBLOSSOM POINT ROAD  
EASTON, MD 21601-8435



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**Andrews, Miller & Assoc., Inc.**

SHEET 2 OF 4

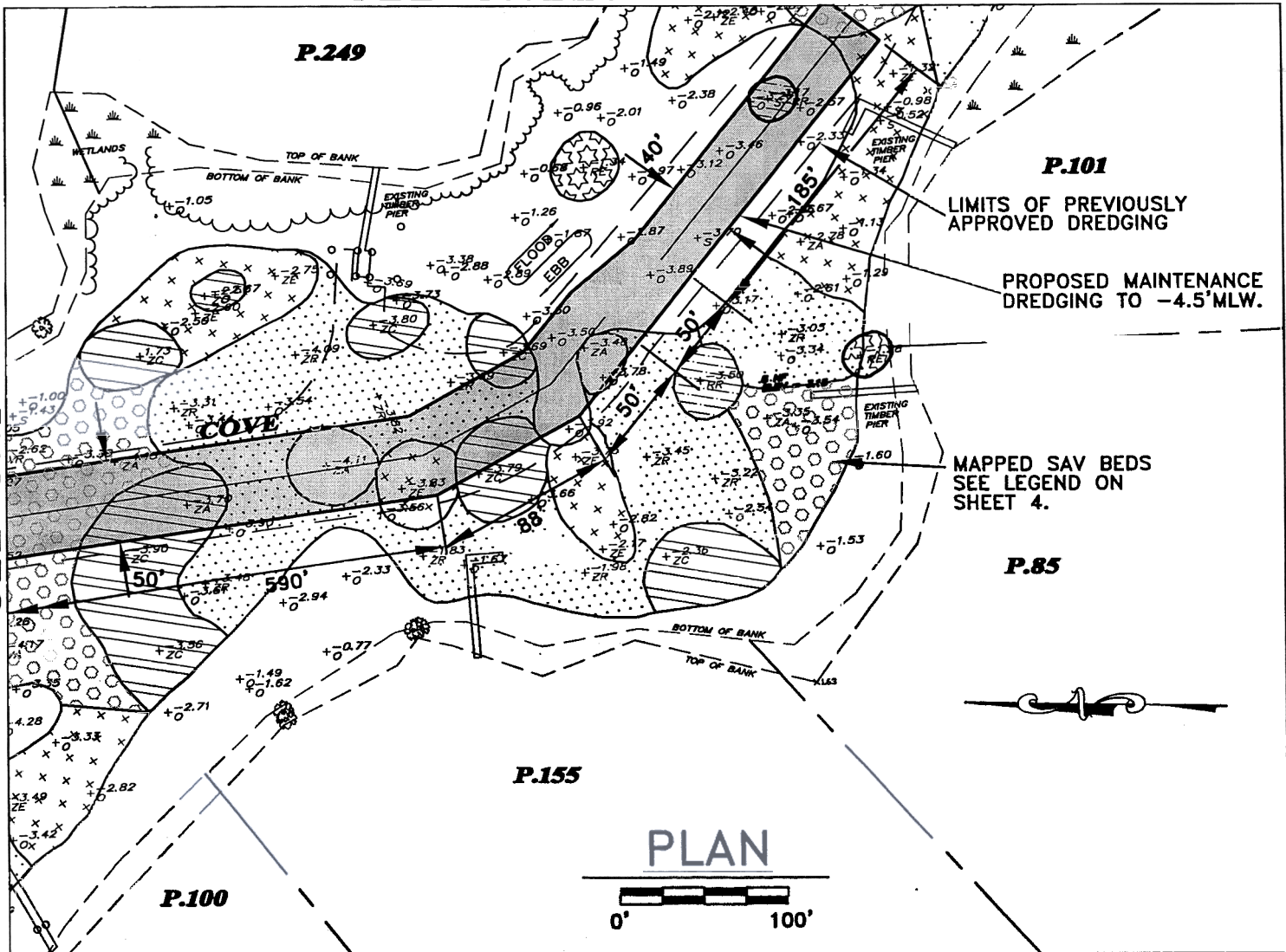
APPL. BY: HUGH SMITH (REPRESENTATIVE OF  
WATERFRONT HOMEOWNERS)

DATE: FEBRUARY 2003

CDH

SEE SHEET 4

SEE SHEET 2



**P.100** URSO, THOMAS R. & JO ANN S.  
27478 WEST POINT ROAD  
EASTON, MD 21601-8438

**P.249** HILL, THOMAS E. AND SARA C.  
6620 PEACHBLOSSOM POINT ROAD  
EASTON, MD 21601-8434

HURLEY, ROLAND C. &  
FAUNTLEROY, NANCY A.  
27490 WEST POINT ROAD  
EASTON, MD 21601-5058

PATTON, WALTER L. III  
10 WEST ROAD, STE 505  
BALTIMORE, MD 21204

SMITH, HUGH M. & CHATA R., T/C  
PO BOX 119  
EASTON, MD 21601-0119

SHEET 3 OF 4

APPL. BY: HUGH SMITH (REPRESENTATIVE OF  
WATERFRONT HOMEOWNERS)  
DATE: FEBRUARY 2003

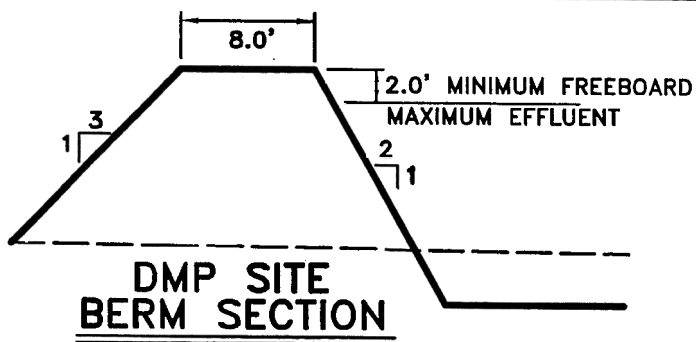


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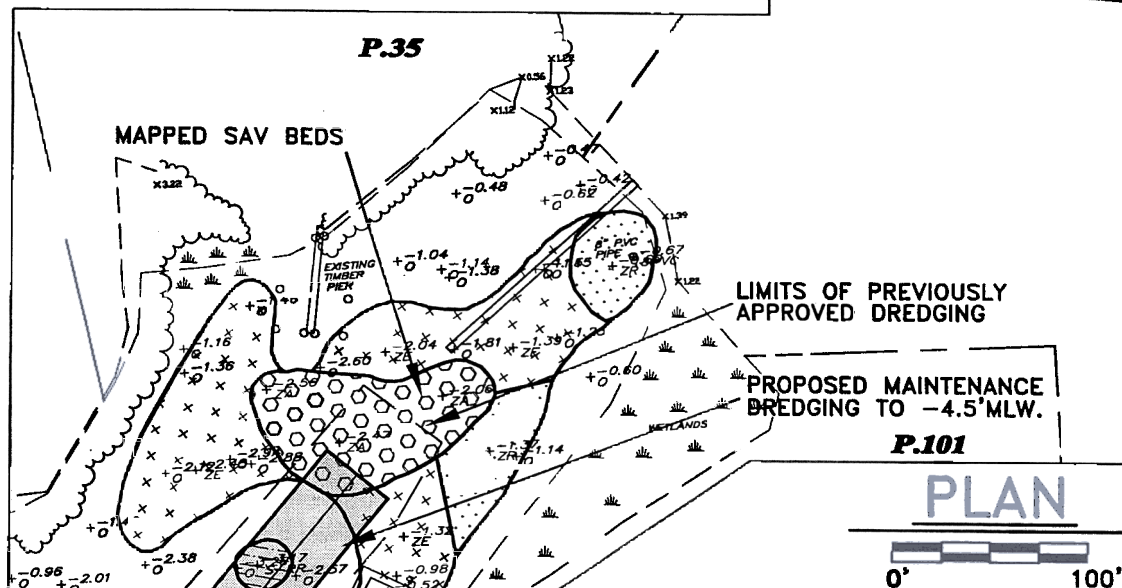
**Andrews, Miller & Assoc., Inc.**

CDH





**PROPOSED DMP SITE LOCATION  
P.7**



**S.A.V. LEGEND**

RARE OCCURRENCE OF HORNED PONDWEED (ZANNICHELLIA PALUSTRIS)	ZR	
EPIHEMERAL OCCURRENCE OF HORNED PONDWEED (ZANNICHELLIA PALUSTRIS)	ZE	
COMMON OCCURRENCE OF HORNED PONDWEED (ZANNICHELLIA PALUSTRIS)	ZC	
ABUNDANT OCCURRENCE OF HORNED PONDWEED (ZANNICHELLIA PALUSTRIS)	ZA	
RARE OCCURRENCE OF WIDGEON GRASS (RUPPIA MARITIMA - "SEA FOAM GREEN")	RR	
EPIHEMERAL OCCURRENCE OF WIDGEON GRASS (RUPPIA MARITIMA - "SEA FOAM GREEN")	RE	
COMMON OCCURRENCE OF WIDGEON GRASS (RUPPIA MARITIMA)	RC	
ABUNDANT OCCURRENCE OF WIDGEON GRASS (RUPPIA MARITIMA)	RA	

SHEET 4 OF 4

APPL. BY: HUGH SMITH (REPRESENTATIVE OF  
WATERFRONT HOMEOWNERS)  
DATE: FEBRUARY 2003

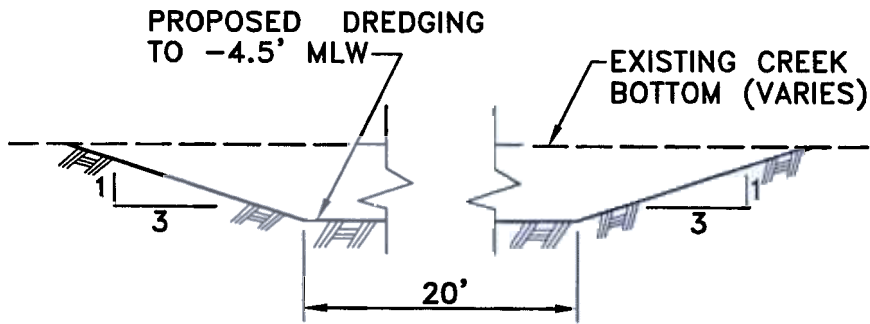


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**Andrews, Miller & Assoc., Inc.**



# SPUR #1



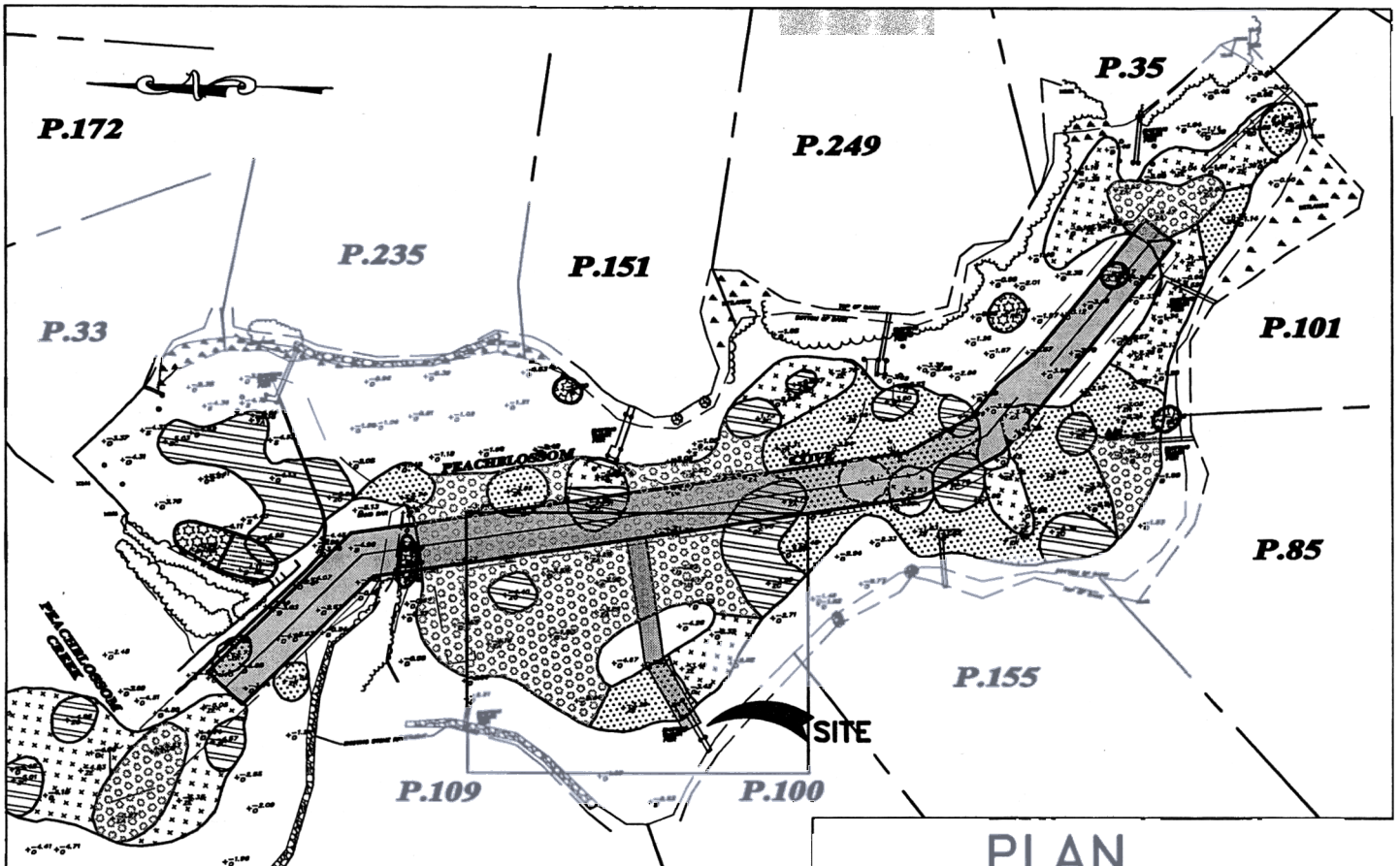
## DREDGING SECTION



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## VICINITY MAP

0' 3000'



## PLAN

0' 200'

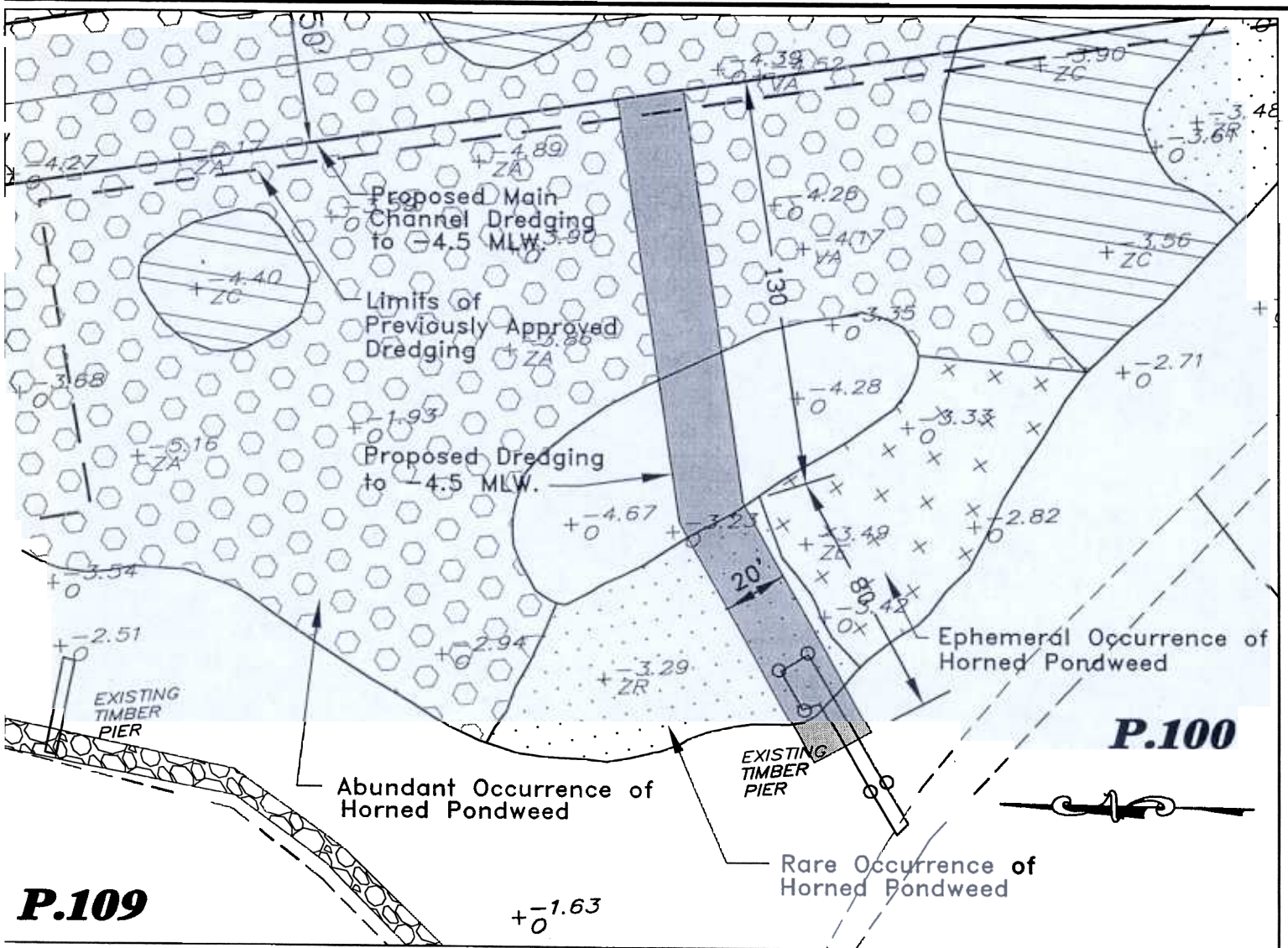
SHEET 1 OF 2  
PROPOSED SPUR CHANNEL IN  
PEACHBLOSSOM COVE  
NEAR: EASTON  
TALBOT COUNTY, MARYLAND  
APPL. BY: THOMAS & JO ANN URSO  
DATE: FEBRUARY 2003



CONSULTING ENGINEERS AND SURVEYORS

**Andrews, Miller & Assoc., Inc.**

# SPUR #1



ADDRESS:

THOMAS & JO ANN URSO  
27478 WEST POINT ROAD  
EASTON, MARYLAND 21601-8438

PLAN

0' 50'

1. DREDGE TO -4.5' M.L.W.
2. APPROX. 205 CUBIC YARDS OF MATERIAL TO BE REMOVED.



CONSULTING ENGINEERS AND SURVEYORS

**Andrews, Miller & Assoc., Inc.**

SHEET 2 OF 2

APPL. BY: THOMAS & JO ANN URSO  
DATE: FEBRUARY 2003

CDH



# SPUR #2

PROPOSED DREDGING  
TO -4.5' MLW

EXISTING CREEK  
BOTTOM (VARIES)

3

20'

3

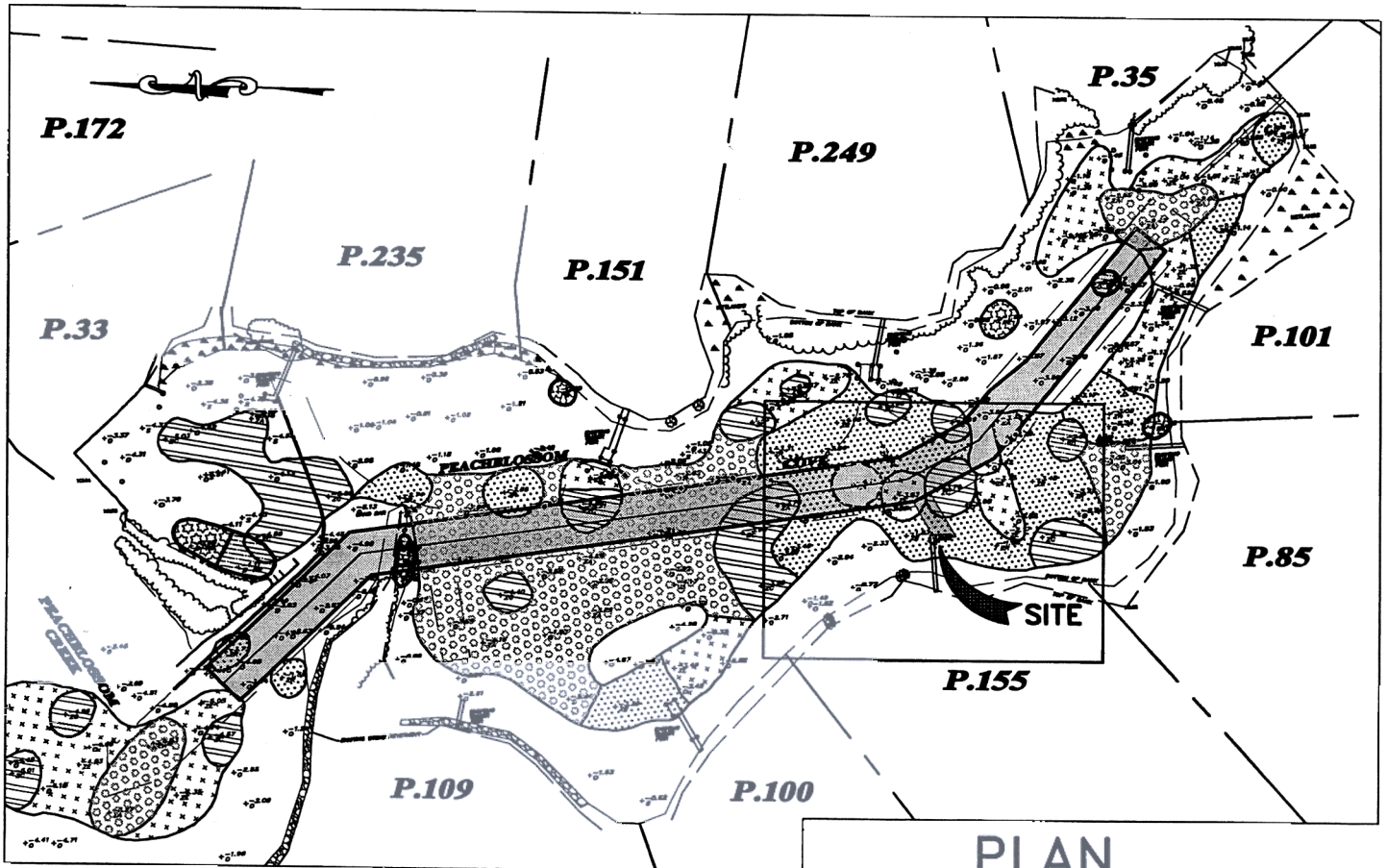
**DREDGING SECTION**



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Permitted Use No. 20502145

**VICINITY MAP**

0' 3000'



**PLAN**

0' 200'

SHEET 1 OF 2  
PROPOSED SPUR CHANNEL IN  
PEACHBLOSSOM COVE  
NEAR: EASTON  
TALBOT COUNTY, MARYLAND  
APPL. BY: ROLAND C. HURLEY &  
NANCY A. FAUTLERROY  
DATE: FEBRUARY 2003



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**Andrews, Miller & Assoc., Inc.**



***P.155***

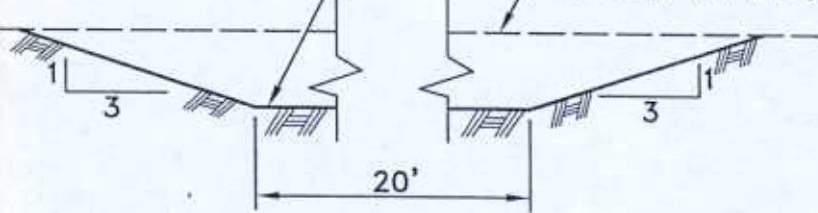
0' 50'

- CDH

# SPUR #3

PROPOSED DREDGING  
TO -4.5' MLW

EXISTING CREEK  
BOTTOM (VARIES)

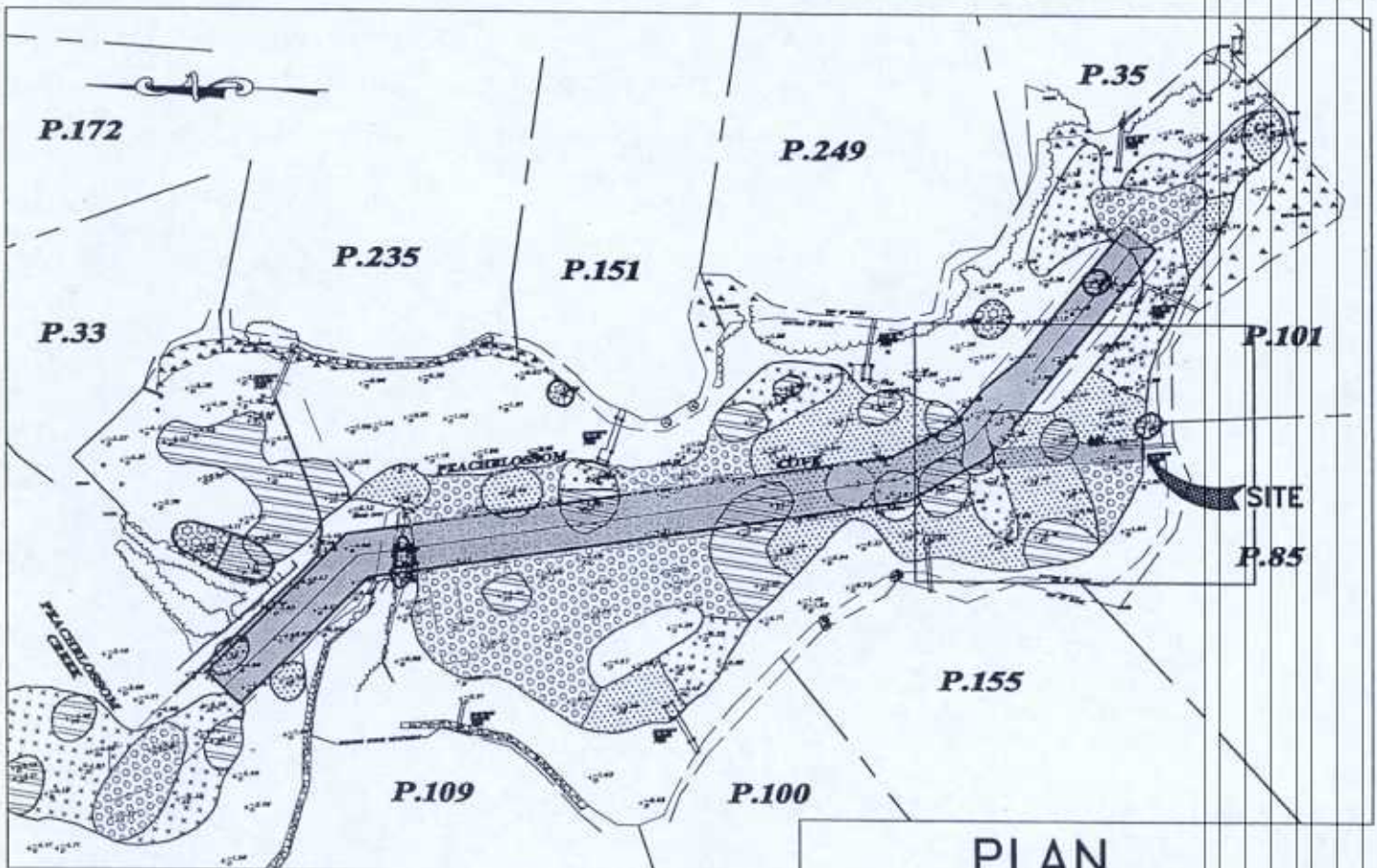


## DREDGING SECTION



## VICINITY MAP

0' 3000'



## PLAN

0' 200'

SHEET 1 OF 2  
PROPOSED SPUR CHANNEL IN  
PEACHBLOSSOM COVE  
NEAR: EASTON  
TALBOT COUNTY, MARYLAND  
APPL. BY: WALTER PATTON  
DATE: FEBRUARY 2003



CONSULTING ENGINEERS AND SURVEYORS

**Andrews, Miller & Assoc., Inc.**



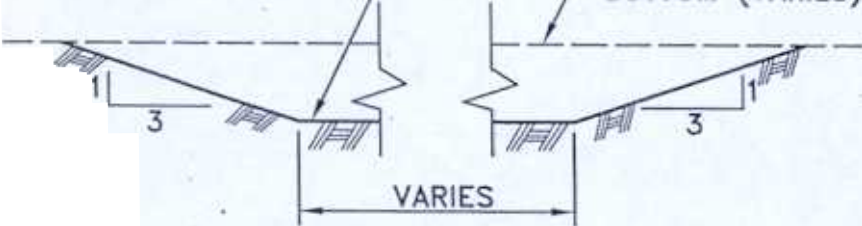




# SPUR #4

PROPOSED DREDGING  
TO -4.5' MLW

EXISTING CREEK  
BOTTOM (VARIES)



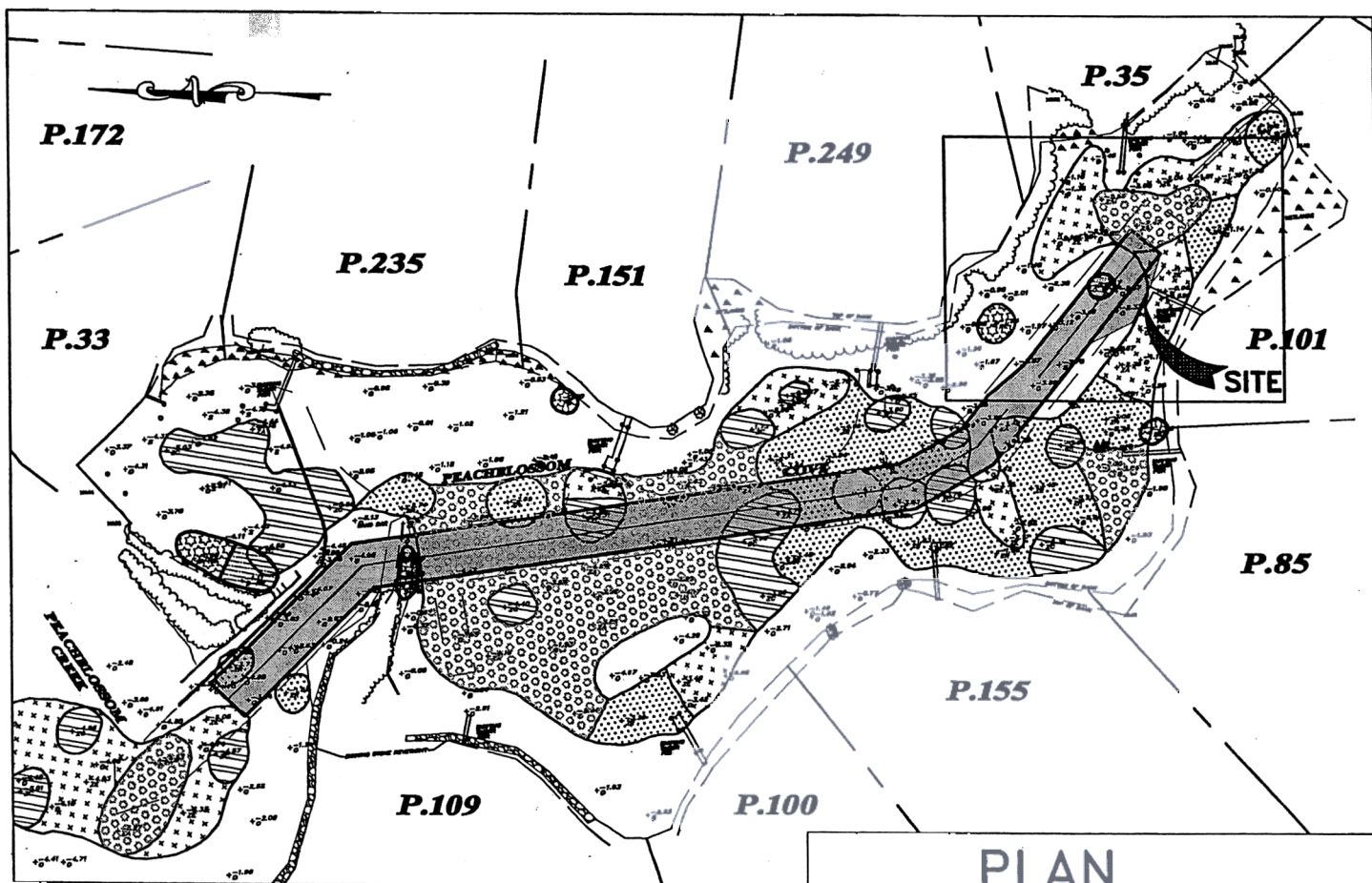
**DREDGING SECTION**



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**VICINITY MAP**

0' 3000'



**PLAN**

0' 200'

SHEET 1 OF 2  
PROPOSED SPUR CHANNEL IN  
PEACHBLOSSOM COVE  
NEAR: EASTON  
TALBOT COUNTY, MARYLAND  
APPL. BY: HUGH & CHATA SMITH  
DATE: FEBRUARY 2003

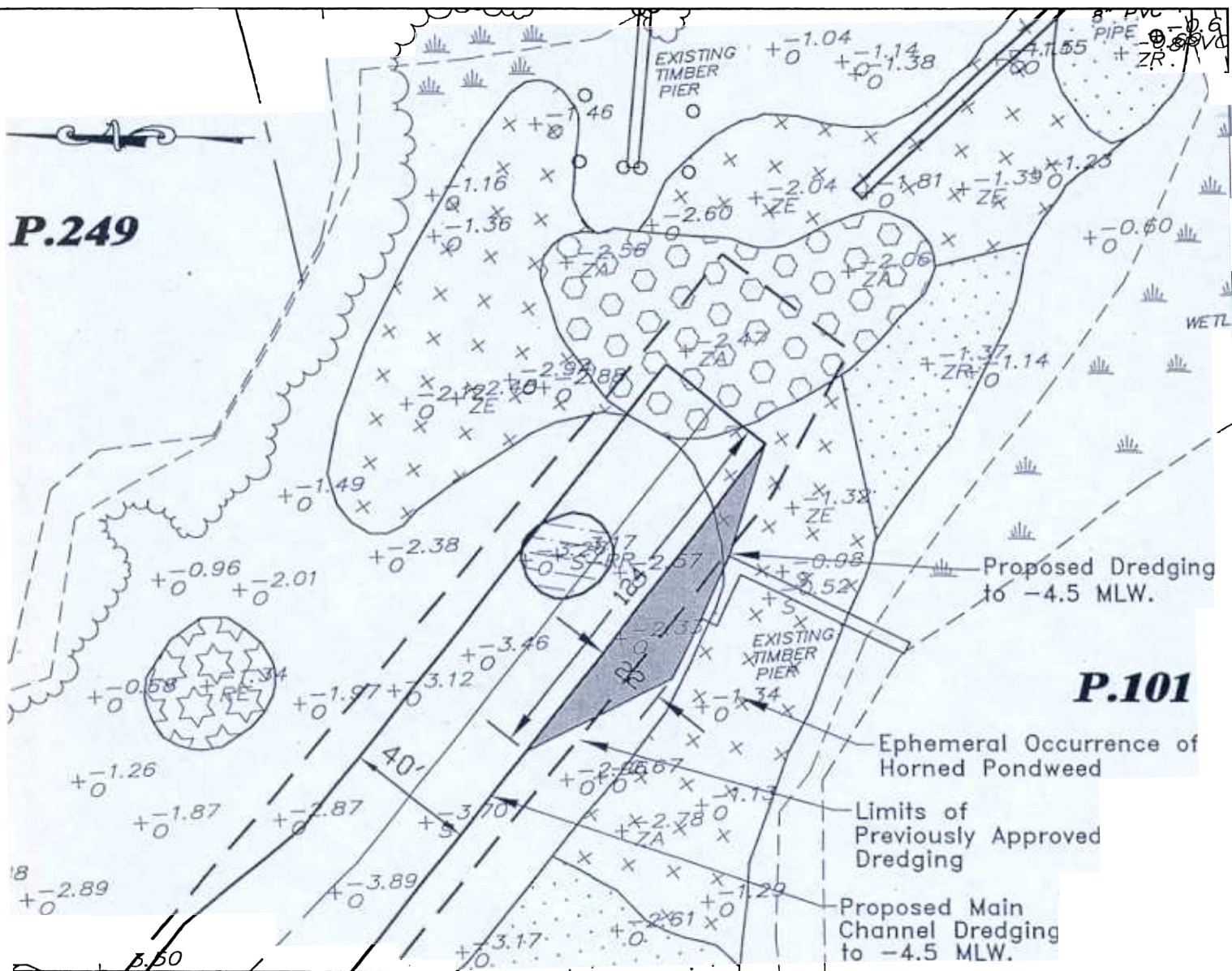


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**Andrews, Miller & Assoc., Inc.**

Enclosure i:

# SPUR #4



ADDRESS:

HUGH & CHATA SMITH

P.O. BOX 119

EASTON, MARYLAND 21601-0119

**PLAN**

0' 50'

1. DREDGE TO -4.5' M.L.W.
2. APPROX. 226 CUBIC YARDS OF MATERIAL TO BE REMOVED.



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**Andrews, Miller & Assoc., Inc.**

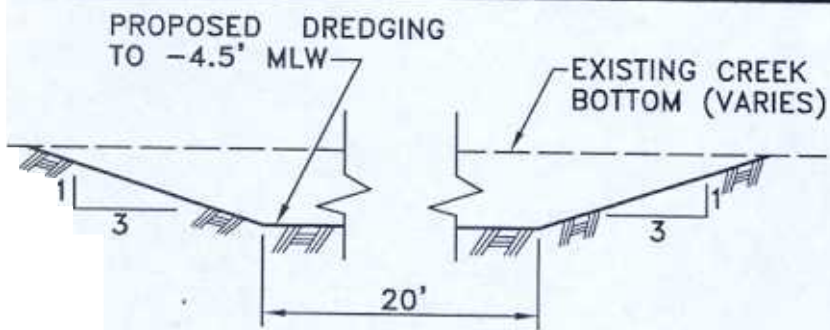
SHEET 2 OF 2

APPL. BY: HUGH & CHATA SMITH

DATE: FEBRUARY 2003



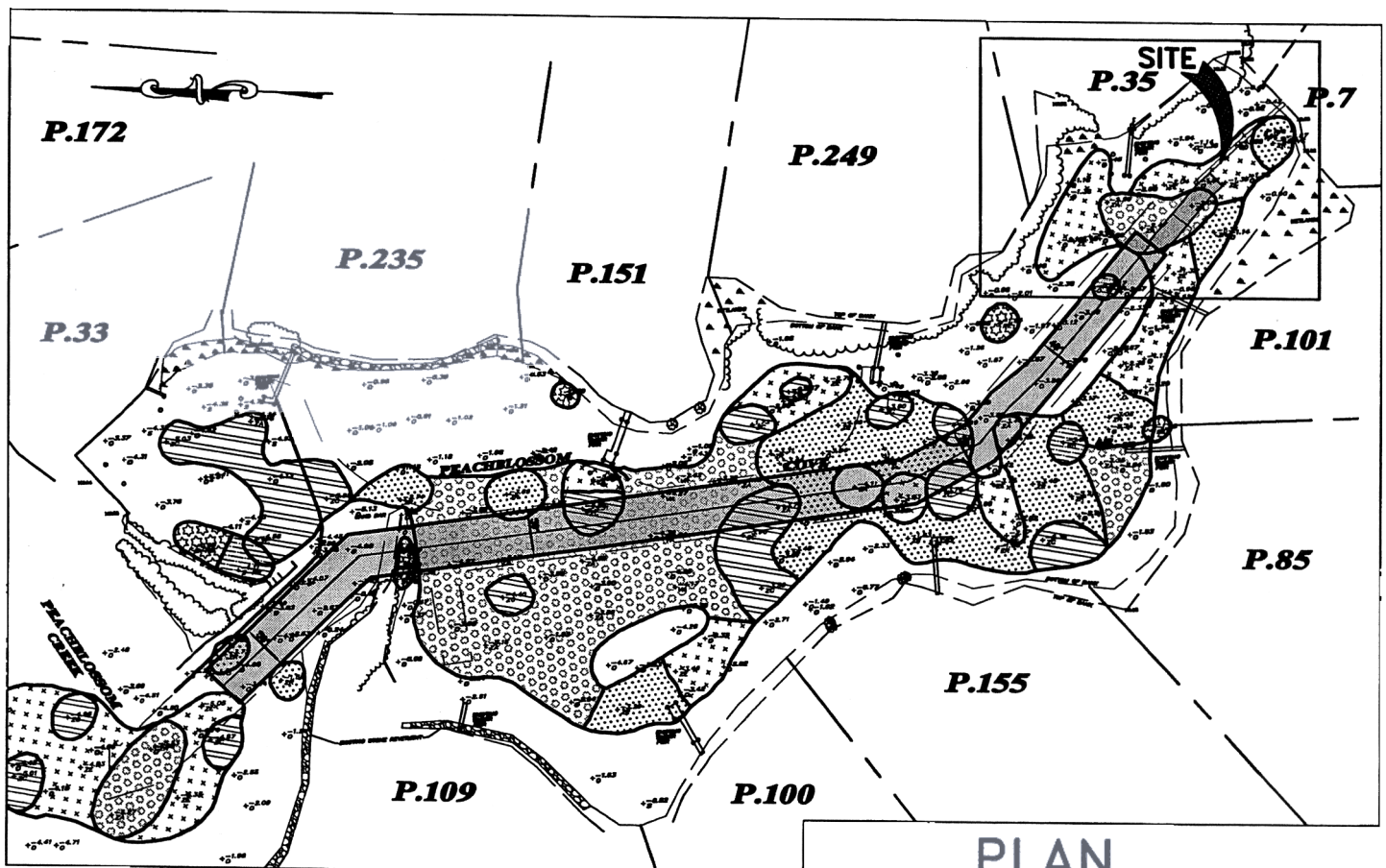
# SPUR #5



**DREDGING SECTION**



**VICINITY MAP**



SHEET 1 OF 2  
PROPOSED SPUR CHANNEL IN  
PEACHBLOSSOM COVE  
NEAR: EASTON  
TALBOT COUNTY, MARYLAND  
APPL. BY: BRAD KLINE  
DATE: MARCH 2004



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**Andrews, Miller & Assoc., Inc.**



# SPUR #5

**P.35**

Ephemeral Occurrence of  
Horned Pondweed

Proposed Pier  
4' x 130'

Property of  
Brad Kline

EXISTING  
TIMBER  
PIER

8" PVC  
PIPE

WETLANDS

Abundant Occurrence of  
Horned Pondweed

Proposed Main  
Channel Dredging  
to -4.5 MLW.

Proposed Dredging  
to -4.5 MLW.

ADDRESS:

**BRAD KLINE**

**1750 TYSONS BLVD.**

**4TH FLOOR, SUITE 460**

**McLEAN, VIRGINIA 22102**

**PLAN**



1. DREDGE TO -4.5' M.L.W.
2. APPROX. 331 CUBIC YARDS OF MATERIAL  
TO BE REMOVED.



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**Andrews, Miller & Assoc., Inc.**

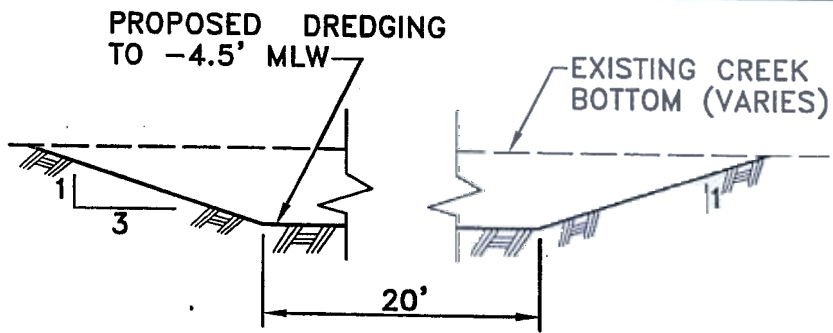
SHEET 2 OF 2

APPL. BY: BRAD KLINE

DATE: MARCH 2004

CDH

# SPUR #6

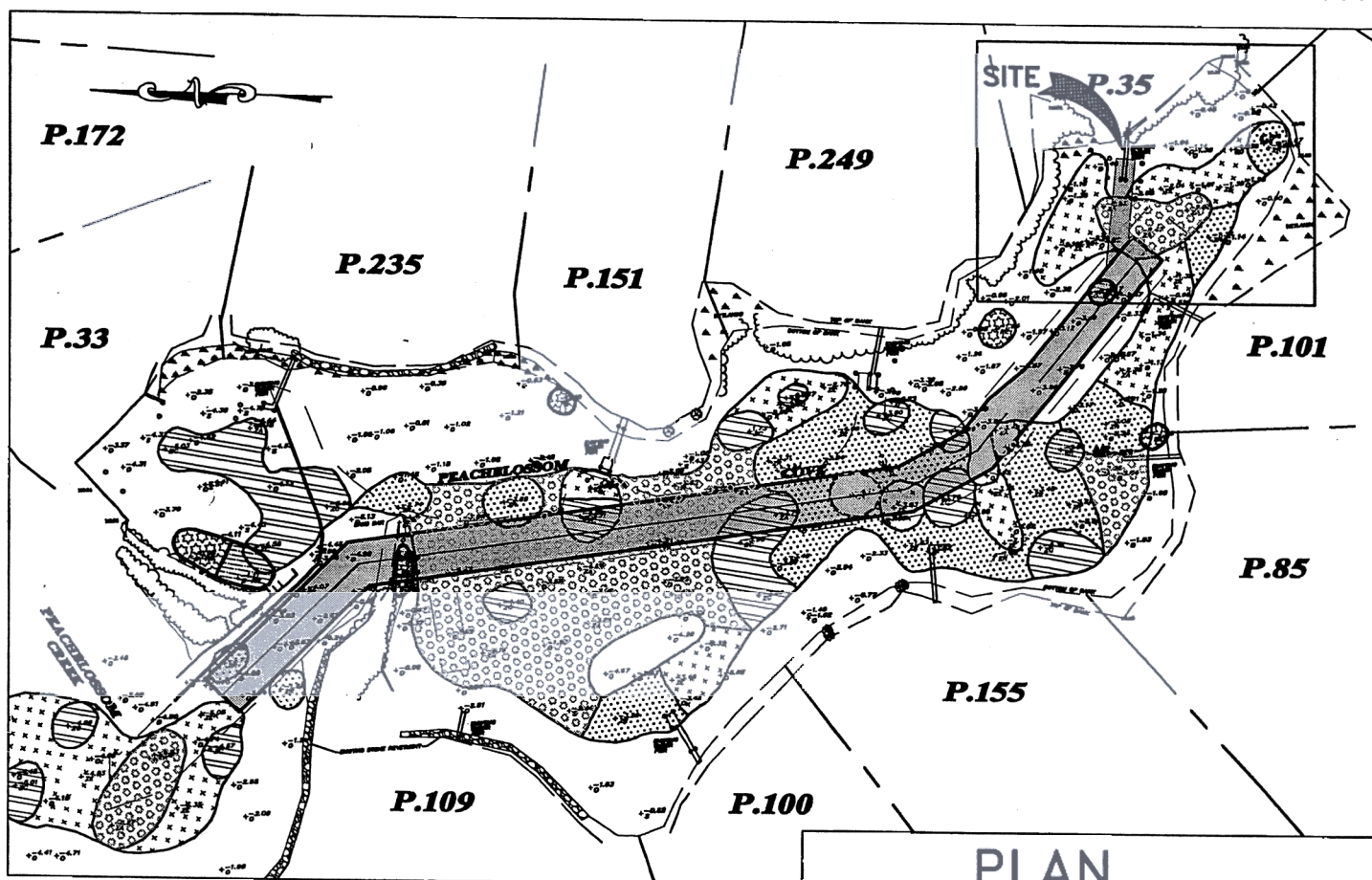


## DREDGING SECTION



## VICINITY MAP

0' 3000'



SHEET 1 OF 2

PROPOSED SPUR CHANNEL IN  
PEACHBLOSSOM COVE

NEAR: EASTON

TALBOT COUNTY, MARYLAND

APPL. BY: BRUCE & BLENDA ARMISTEAD

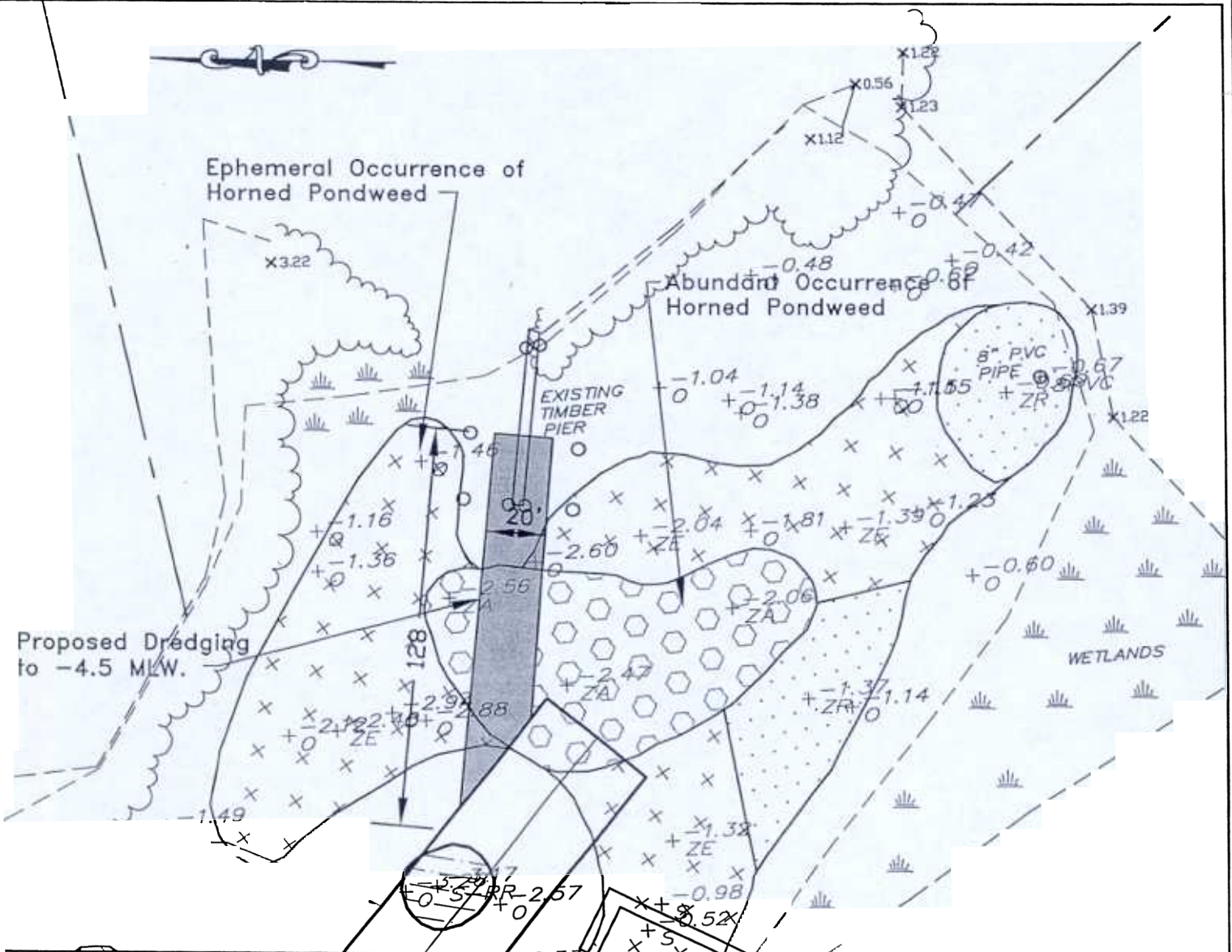
DATE: FEBRUARY 2003



CONSULTING ENGINEERS AND SURVEYORS

**Andrews, Miller & Assoc., Inc.**





ADDRESS:

BRUCE & BLENDIA ARMISTEAD  
6606 PEACHBLOSSOM POINT ROAD  
EASTON, MARYLAND 21601-8434

PLAN

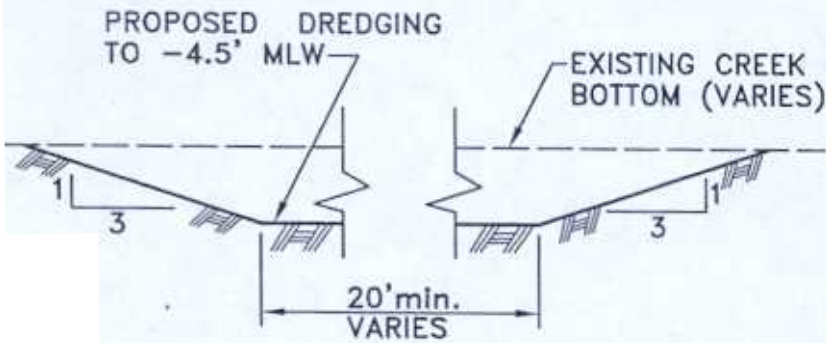
0' 50'

1. DREDGE TO -4.5' M.L.W.
2. APPROX. 302 CUBIC YARDS OF MATERIAL TO BE REMOVED.

SHEET 2 OF 2

APPL. BY: BRUCE & BLENDIA ARMISTEAD  
 DATE: FEBRUARY 2003

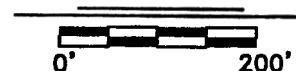
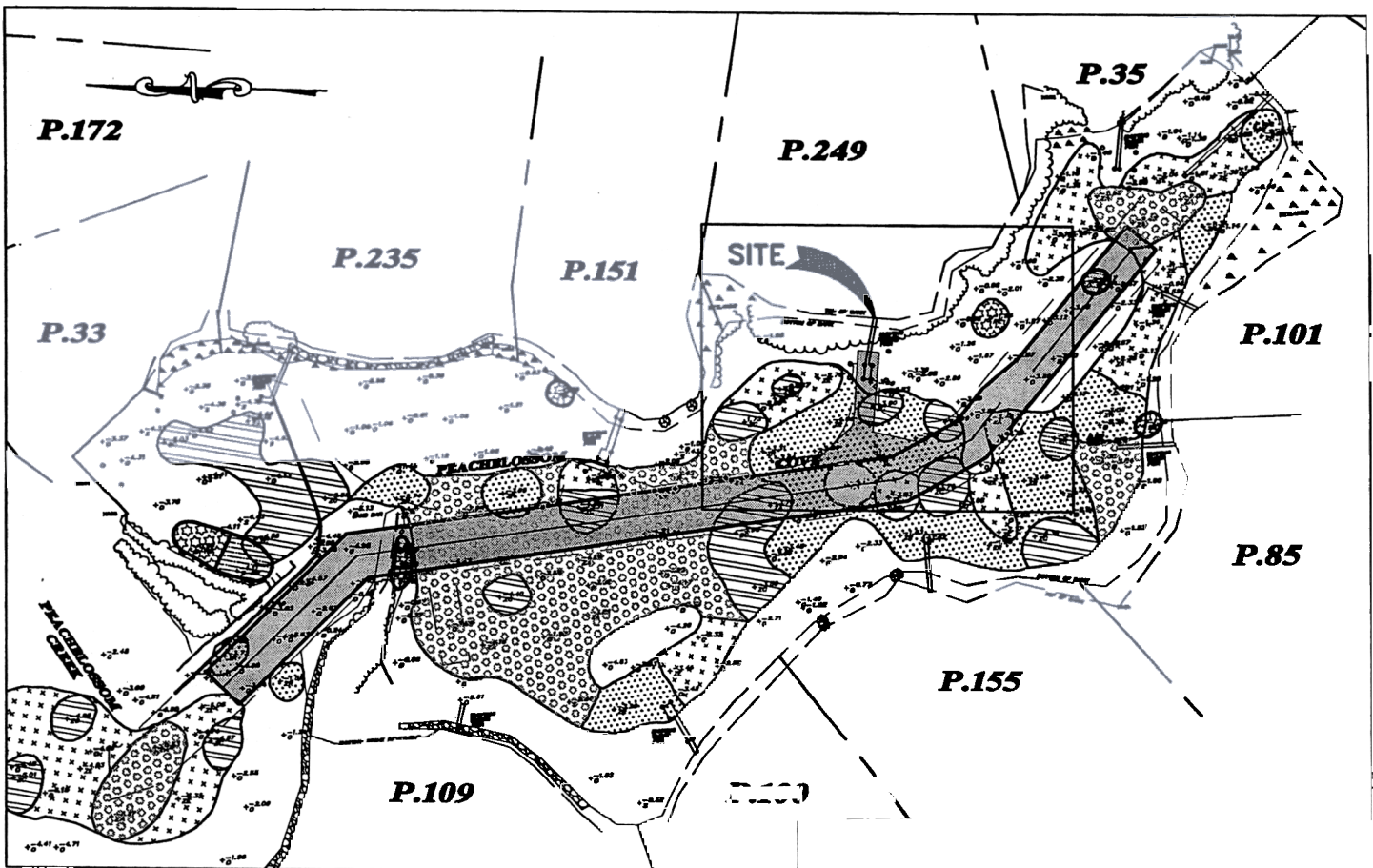
# SPUR #7



**DREDGING SECTION**



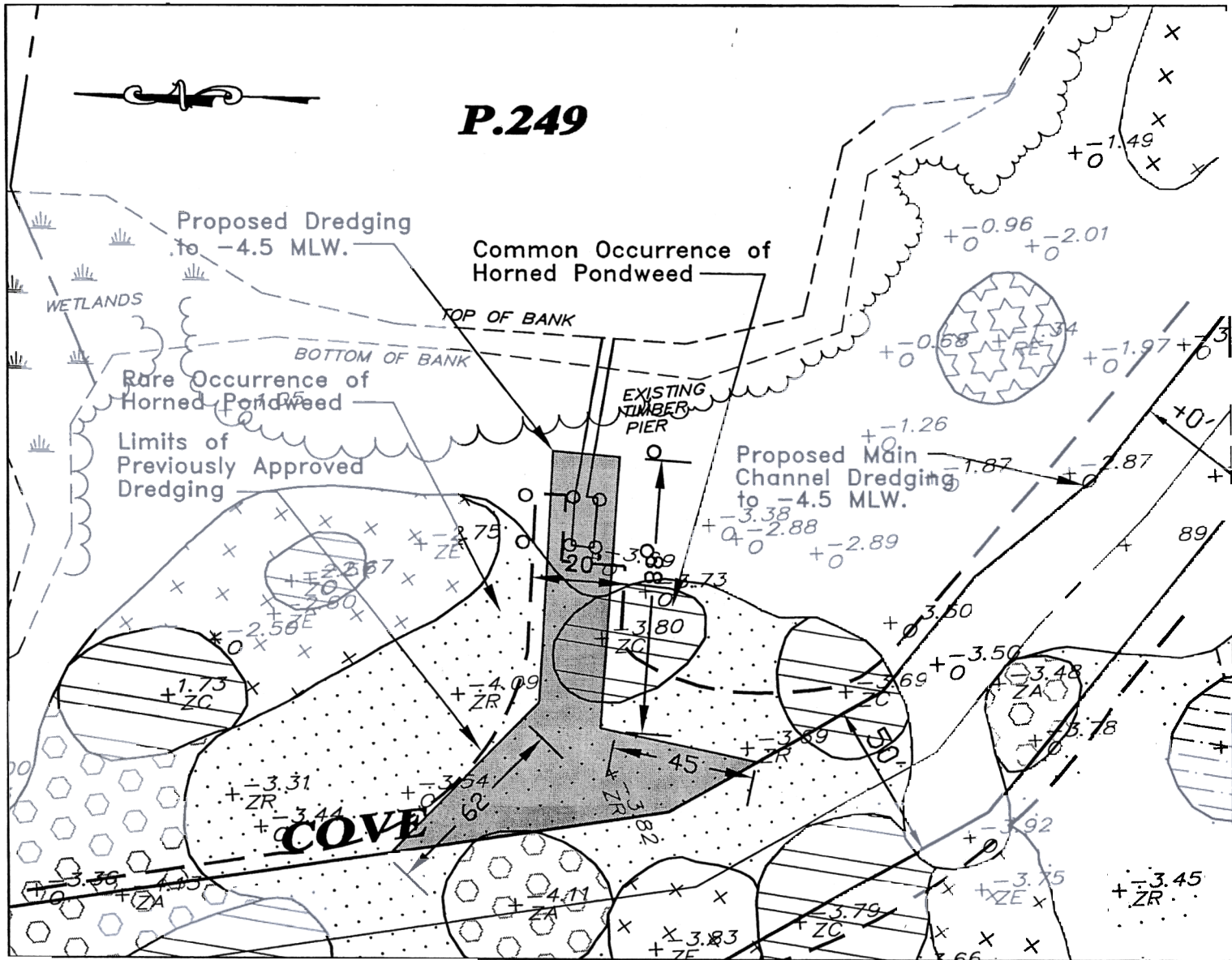
**VICINITY MAP**



SHEET 1 OF 2  
PROPOSED SPUR CHANNEL IN  
PEACHBLOSSOM COVE  
NEAR: EASTON  
TALBOT COUNTY, MARYLAND  
APPL. BY: TOM & SARA HILL  
DATE: FEBRUARY 2003



SPUR #7



ADDRESS: TOM & SARA HILL  
6620 PEACHBLOSSOM POINT ROAD  
EASTON, MARYLAND 21601-8434

## PLAN



1. DREDGE TO -4.5' M.L.W.
2. APPROX. 236 CUBIC YARDS OF MATERIAL TO BE REMOVED.



**CONSULTING ENGINEERS AND SURVEYORS**

**Andrews, Miller & Assoc., Inc.**

**SHEET 2 OF 2**

APPL. BY: TOM & SARA HILL  
DATE: FEBRUARY 2003